

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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JAMES R. GIBSON,

Plaintiff,

v.

WESTCHESTER MEDICAL CENTER  
HEALTH CARE CORPORATION, JANE  
DOE 1, JANE DOE 2, and DOES 3-10,  
Defendants.  
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**ORDER OF DISMISSAL**

20 CV 4263 (VB)

On June 4, 2020, plaintiff James R. Gibson commenced the instant action against defendants Westchester Medical Center Health Care Corporation, Jane Doe 1, Jane Doe 2, and Does 3-10. (Doc. #1).

On June 10, 2020, the Clerk of Court issued a summons as to defendant Westchester Medical Center Health Care Corporation. (Doc. #6). However, there is no indication on the docket that defendant has been served, and defendant has not appeared in this case.

On September 17, 2020, the Court issued an Order warning plaintiff that this action would be dismissed without prejudice, pursuant to Fed. R. Civ. P. 4(m) and 41(b), unless, on or before September 24 2020, plaintiff either: (i) filed to the ECF docket proof of service, indicating defendant was served on or before September 2, 2020; or (ii) showed good cause in writing for his failure to comply with Fed. R. Civ. P. 4(m). (Doc. #7).

To date, plaintiff has failed to respond to the September 17 Order.

Accordingly, this case is dismissed without prejudice pursuant to Fed. R. Civ. P. 4(m) and 41(b).

The Clerk is instructed to close this case.

Dated: September 25, 2020  
White Plains, NY

SO ORDERED:



Vincent L. Briccetti  
United States District Judge